

DUBOSE, ADMINISTRATOR OF DICK.

JANUARY 16, 1832.

Mr. McIntire, from the Committee of Claims, made the following
REPORT:

The Committee of Claims, to which was referred the petition of Samuel Dubose, administrator of Elias D. Dick, report:

That the claim set forth in the petition has heretofore been made to Congress; and on the 6th February, 1828, a favorable report was made thereon by this committee, accompanied with a bill for the relief of the petitioner. This bill does not appear to have been acted on. At the next session, the petition was again referred to this committee, and a report made December 31, 1828, concurring in the former report, with another bill for the petitioner's relief, and which bill appears not to have been acted on.

The committee have again examined the case, and concur in the conclusion of the former reports, to the first of which they refer and make part of this report. The committee notice an error in that report: in describing the amount of the balance found due the United States, from Capt. Dick, the amount of the *differences* between Capt. Dick's account and that allowed, being accidentally inserted, instead of the *balance* due on settlement at the Treasury. This does not affect the validity of the claim, or the principle of the report.

The committee report a bill for the relief of the petitioner.

DECEMBER 31, 1828.

The Committee of Claims, to which has been referred the petition of Samuel Dubose, administrator of Elias D. Dick, deceased, report:

That they again have had the case under consideration, and have come to the same conclusion that the committee did at last session: they refer to the report made the 6th of February, 1828, and make it a part of this report.

They therefore report a bill for the sum of \$864, the sum mentioned in the report referred to by the committee.

The Committee of Claims, to which was referred the petition of Samuel Dubose, administrator of Elias D. Dick, deceased, report:

That Elias D. Dick, late a Captain in the United States' army, attached to the 18th regiment of infantry, was killed in a duel, in the month of May,

1815; and, on the fourth of January, 1819, the account of the said Captain Dick was settled at the Treasury Department, and a balance found due the United States of \$1,397 22, as per statement herewith exhibited. Part of the sums that make up the balance so appearing due to the United States, consisted of suspended items at the Treasury Department, for bounties premiums, and advance pay, paid by Captain Dick to the soldiers he enlisted, as is alleged, as follows:

Bounties and premiums paid Thomas Amerson and others, as		
per statement,	- - - - -	\$478 00
Bounty paid John Magraugh, as per statement,	- - - - -	50 00
Advance pay to William Saulis and others,	- - - - -	336 00
		<hr/>
		\$ 864 00

By referring to the letters of the Third Auditor of the 25th January, 1828, and the 1st of February, 1828, it is admitted that the above sums were due by the United States to the soldiers referred to, and that neither soldiers nor officers, except Captain Dick's administrators, had ever claimed a credit for said sums at the Treasury Department; and that, on the roll of Capt. Dick's company, dated 31st December, 1814, there are remarks annexed to the names of said soldiers, that they had received the amount of bounty, premiums, and advance pay, due them. Thus it may fairly be inferred, as strong presumptive proof, that the money due said soldiers, for which credit was claimed, had been paid by Captain Dick, and that he or his administrator ought to get a credit for the same on settlement with the United States. It is not unlikely that, if Capt. Dick had been alive at the adjustment of his accounts, a credit would have been allowed him for the sums before stated.

As to the other items in the claim, the committee have no evidence on which they can rely, or that would justify them in allowing the same; when the proper vouchers being obtained and furnished to the proper department, the items of the claim, not embraced in the bill now reported, can be allowed and settled at the Treasury Department by the now existing law.

They therefore report a bill for the \$ 864, before stated.